

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FREDERIC GREEN,

Plaintiff,

v.

ALI JAMAL, *et al.*,

Defendants.

3:18-cv-0301-MMD-CLB

**REPORT AND RECOMMENDATION  
OF U.S. MAGISTRATE JUDGE**

This Report and Recommendation is made to the Honorable Miranda M. Du, Chief United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4.

Before the court is plaintiff's motion to dismiss (ECF No. 22). The undersigned Magistrate Judge recommends that plaintiff's motion (ECF No. 22) be granted, and this case be dismissed pursuant to Fed. R. Civ. P. 41(a).

Fed. R. Civ. P. 41(a)(i) provides, in part, as follows:

" . . . plaintiff may dismiss an action . . . by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment."

Plaintiff filed a motion requesting that his case be voluntarily dismissed (ECF No. 22). No responsive pleading has been filed, and defendants filed a notice of non-opposition to plaintiff's motion to dismiss (ECF No. 24). Therefore, it is recommended that plaintiff's motion to dismiss (ECF No. 22) be granted and this case dismissed without prejudice.

The parties are advised:

1. Pursuant to 28 U.S.C. § 636(b)(1)(c) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this Report and

1 Recommendation within fourteen days of receipt. These objections should be entitled  
2 "Objections to Magistrate Judge's Report and Recommendation" and should be  
3 accompanied by points and authorities for consideration by the District Court.

4 2. This Report and Recommendation is not an appealable order and any  
5 notice of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the  
6 District Court's judgment.

7 **RECOMMENDATION**

8 **IT IS THEREFORE RECOMMENDED** that plaintiff's motion to dismiss (ECF No.  
9 22) be **GRANTED** and this case be **DISMISSED without prejudice** pursuant to Fed. R.  
10 Civ. P. 41(a)(i).

11 **DATED:** January 7, 2020.

12   
13 **UNITED STATES MAGISTRATE JUDGE**